

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MANUEL ARECHE,  
Petitioner,

v.

MICHAEL THOMPSON,  
SUPERINTENDENT, MCI  
SHIRLEY, MEDIUM,  
Respondent

05-11121 MEL

AFFIDAVIT OF MANUEL ARECHE  
IN SUPPORT OF  
APPLICATION FOR WRIT OF HABEAS CORPUS

I Manuel Areche, having been sworn according to law  
do hereby say and depose:

I am the petitioner in this action.

I make this affidavit in good faith.

I was not selling drugs at my house and I was not  
selling drugs within a school zone.

I entered into a negotiated plea with my attorney  
and the prosecution for a ten year sentence in exchange  
for the guilty plea.

The informant in this case, knows, and I'm sure  
advised the prosecution that I was never doing business  
in my house. I respect my house. I always travelled  
a great distance to a bar on the other side of town  
to conduct my drug transactions. Consequently, the  
arrangement I had with my attorney and the prosecution  
was for a ten year plea bargain. There was never any

-2-

discussion for an additional sentence for selling drugs within a school zone. It just was not part of the negotiation.

I take my responsibility because I knew I was doing bad business meeting with female prosecutor I admitted this fact, however the female prosecutor was not the representative at the plea bargain hearing. The deal with the female prosecutor was for a ten year sentence.

My codefendant had bail set and posted bail and absconded, because he was not available for a hearing or trial, I was forced to plead guilty to the ten year deal. My witnesses had run away. I had no choice.

Then when I finally got to court, there was a difference DA and he was mentioning a 10-17 term and that was not what i had agreed to. In the last minute there was a different DA, and in the last minute there was the matter brought up for the first time about the school zone.

My attorney took my money and then did not represent me as he had agreed and as justice requires. I told him at court the deal was for ten years, now the prosecution was mentioning an additional two and a half years more. To this my attorney told me to "shut up." I told my attorney I had something I want to say to

-3-

the judge. My attorney was very upset and absolutely refused to allow me to address the court. I wanted to explain to the court that I was selling drugs in a bar far from my house, but I never sold drugs in my house. My attorney refused to let me explain this to the court.

I take responsibility for the ten year sentence, but it is not reasonable to add more on after, when i had already accepted the prosecution's offer for ten years in exchange for the guilty plea. I never sold drugs in my house. The only people that came to my house were my friends. The police officer lied when he said a girl had told him I was selling drugs in my house, I don't know what girl told him that, it was not true. The police officer claimed he had an informant telling him all these things, but I wanted to explain to the court that was just not so. I had nothing in my house for sale. The guy that delivered the drugs to my house left and I never sold drugs in my house. I went far away to the bar. Furthermore, the informant also knew that I had stopped selling drugs and when he asked for drugs I had to call to get them as I didn't have any for sale in my house. I wanted to tell the judge all of this as it would have had an affect on the sentence.

-4-

I plead guilty to the drug charge in exchange for the ten year sentence, not an additional school zone sentence. Not the extra two and a half year sentence. I need justice. I plead guilty to ten years and nothing more.

As a result of this prosecution, I will be deported when I complete my sentence. I want the court to see my case not selling drugs from my house, and the police watched my house and knew I was not selling drugs from my house. I didn't allow anybody to come to my house, for drug business. I only allowed my friends to come to my house. The informant knows this and he knows I never sold drugs from my house, always far away. I want to be able to explain this to the court so that justice can be done.

Sworn to under the pains and penalties of perjury this 18th day of May, 2005.

  
Manuel Areche, pro se  
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